



House of Representatives

General Assembly

File No. 360

February Session, 2010

House Bill No. 5256

House of Representatives, April 7, 2010

The Committee on Planning and Development reported through REP. SHARKEY of the 88th Dist., Chairperson of the Committee on the part of the House, that the bill ought to pass.

AN ACT CONCERNING LOCAL APPEALS OF DECISIONS OF LOCAL TRAFFIC AUTHORITIES.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 14-313 of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective October 1, 2010*):

3 Any person aggrieved by any order or regulation made by any
4 traffic authority under the provisions of this chapter, relating to the
5 establishment of through streets, the making of safety zones, the
6 installation of traffic control signals, devices, signs or markings, the
7 establishment of parking restrictions or the location of loading and
8 unloading zones, or by the performance of any act pursuant to any
9 provision of this chapter, may take an appeal therefrom to the court of
10 common council or to the board of aldermen of the city, to the town
11 council or board of selectmen of the town, or to the warden and
12 burgesses of the borough, wherein such traffic authority is located, or
13 to the superior court for the judicial district in which it is located. Such
14 appeal shall be to the next session of such court or board which will

15 allow sufficient time for the service of the notice required herein. A
16 written notice of such appeal, addressed to such traffic authority, shall
17 be deposited with, or forwarded by registered or certified mail to, such
18 traffic authority at least ten days before the return day thereof. Upon
19 such hearing, such court or board shall determine whether the order or
20 regulation appealed from is reasonable, and shall thereupon sustain or
21 revoke such order or regulation.

This act shall take effect as follows and shall amend the following sections:		
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Section 1	<i>October 1, 2010</i>	14-313
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PD *Joint Favorable*

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

OFA Fiscal Note

State Impact: None

Municipal Impact: None

Explanation

There is no fiscal impact for adding the installation of traffic control signals, signs or markings to the local appeals process.

The Out Years

State Impact: None

Municipal Impact: None

OLR Bill Analysis**HB 5256*****AN ACT CONCERNING LOCAL APPEALS OF DECISIONS OF LOCAL TRAFFIC AUTHORITIES.*****SUMMARY:**

This bill expands the types of local traffic authority or the State Traffic Commission (STC) orders or regulations that people can appeal to include the installation of traffic control signals, devices, signs, or markings. Under current law, anyone aggrieved by a traffic authority or STC action under the traffic control provisions or order or regulation relating to the establishment of (1) through streets, (2) safety zones, (3) parking restrictions, or (4) loading and unloading zones can appeal to the local legislative body or the Superior Court in the judicial district in which the town is located.

EFFECTIVE DATE: October 1, 2010

BACKGROUND***Traffic Authorities***

As Table 1 shows, the law designates different local bodies or officials to serve as a municipality's traffic authority. The designation depends mainly on whether a municipality has a board of police commissioners.

Table 1: Municipal Traffic Authorities

<i>Jurisdiction</i>	<i>Traffic Authority</i>	<i>Appeals Body</i>
City, town, or borough with police commission	Police Commission	City: <ul style="list-style-type: none"> • Court of Common Council or • Board of Aldermen
City, town, or borough without commission but with a regularly appointed police	<ul style="list-style-type: none"> • City or town manager • Police chief 	

force	<ul style="list-style-type: none"> • Police superintendent or any legally elected or appointed official or board • Any official having similar powers and duties 	Town: <ul style="list-style-type: none"> • Town council • Board of Selectmen Borough:
Town with no city or borough with a regularly appointed police force	<ul style="list-style-type: none"> • Board of selectmen 	<ul style="list-style-type: none"> • Warden and burgesses

The definition of a traffic authority includes the STC, which can (1) adopt regulations establishing a uniform system of traffic control signals, devices, signs, and markings and require local traffic authorities to place and maintain traffic signals, devices, and signs in accordance with those regulations and (2) must approve the installation of any traffic control signal light in any municipality (CGS § 14-297(6)).

COMMITTEE ACTION

Planning and Development Committee

Joint Favorable

Yea 18 Nay 2 (03/22/2010)